



# Acceptance and Refusal of Donations Policy

ARD001

## Document Control

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# Acceptance and Refusal of Donations Policy (ARD001)

## 1. Introduction

- 1.1** Raising money is crucial, but sometimes there are other considerations that can be more important. The value of a donation may not be worth the cost in potential loss of public trust and confidence in the charity, a detrimental impact to the reputation of the organisation, or a conflict with the charity's ethics and values which could lead to a loss of support in the future. Therefore, this policy seeks to ensure that the best interests of the charity are always followed.
- 1.2** This policy sets out the guidelines for accepting and refusing donations (both monetary and otherwise) by London's Air Ambulance Charity. The charity comprises London's Air Ambulance Limited (including the Institute of Pre-Hospital Care) and London's Air Ambulance Trading Limited.
- 1.3** The Director of Fundraising and Marketing is accountable, and the respective Heads of department are responsible for gift acceptance and refusal.

## 2. Purpose & Scope

- 2.1** This policy has been developed with the Fundraising and Marketing Management Team. It details how London's Air Ambulance Charity will decide on accepting and refusing donations and is aligned with the Fundraising Regulator Code of Fundraising Practice.
- 2.2** This document seeks to ensure that all donations are properly received, recorded, and administered using appropriate internal controls, and complying with relevant external regulations. The policy is designed to ensure that all donations to London's Air Ambulance Charity serve to reinforce our mission by outlining our guiding principles for the acceptance and refusal of donations and for entering into corporate partnership agreements.
- 2.3** The policy applies to all solicited and unsolicited donations to London's Air Ambulance Charity from individuals, trusts and foundations, companies, community groups and government agencies in the UK and overseas. Donations are defined as either financial or non-financial contributions.
- 2.4** This policy must be read in conjunction with the Fundraising Corporate Partnerships Policy.

## 3. Values

- **Compassionate** - We care about people and put them at the heart of everything we do. We are kind, respectful and always keen to listen to feedback.
- **Courageous** - We are prepared to achieve our mission in challenging environments. We are authentic, honest, and not afraid to challenge and take calculated risks.
- **Pioneering** - We embrace and lead change through our innovation and creativity. We are constantly learning, both from our successes and from our failures, to make sure we are always striving to improve.

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## 4. Definitions

- 4.1 “London’s Air Ambulance Limited (LAAC)”** - London’s Air Ambulance Limited is the legally registered name for London’s Air Ambulance Charity. The charity comprises London’s Air Ambulance Limited and London’s Air Ambulance Trading Limited.
- 4.2 “Donation”** – we define this as either financial or non-financial. Financial donations include restricted or unrestricted monetary gifts including cash, grants, sponsorship, and securities. Non-financial gifts include pro-bono legal and financial advice, gifts-in-kind of raffle and auction prizes, equipment, software, real estate, or other non-monetary contributions such as involvement in event committees.
- 4.3 “Sponsor”** – any corporate organisation that provides financial support through sponsorship (e.g. of an event, of a helicopter or of rapid response vehicles). Any use of the company’s logo in return for payment to London’s Air Ambulance Charity via London’s Air Ambulance must have in place a full sponsorship agreement. Please see Fundraising Corporate Partnerships Policy.

## 5. Equality & Diversity

- In line with the Equality Act 2010, this policy is available in different formats to ensure accessibility.
- The charity has information on accessibility which is available via the website. In case someone does not have access to these features, a copy of this policy can be requested via contacting the Supporter Care Team on 020 3023 3319.

## 6. Specific industries or activities for consideration

The following industries have been highlighted, because they are high-risk industries, which need to be considered at a high level, in terms of how it impacts the charity. Thus, each donation will be assessed on a case-by-case basis. The risk matrix included in the appendices will help inform decisions on the acceptance and refusal of donations.

### Alcohol distributors and selling

- 6.1** Road traffic collisions are one of the main mechanisms of injury that London’s Air Ambulance Charity attends. Due to the potential link between alcohol and road traffic collisions, London’s Air Ambulance Charity will only accept donations relating to alcohol in specific circumstances and on a case-by-case basis (for example: alcohol gifted for a fundraising Gala from distributors and suppliers). We currently do not accept gifts for aircraft sponsorship. We will consider partnerships with retailers and distributors where alcohol sales or distribution is a minimal element of their profits.

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## Arms manufacturing and selling

- 6.2** Shootings and stabbings are one of the main mechanisms of injury that London's Air Ambulance Charity attend. Due to the link between arms manufacturing and selling and penetrating trauma, London Air Ambulance Charity will only accept donations in specific circumstances and on a case-by-case basis (for example the potential for a wider corporate partnership with Boeing (aviation manufacturers but also weapons.)

## Tobacco industries

- 6.3** Due to the proven link between tobacco use and heart disease we would not accept any kind of corporate donation or support from a tobacco company. This includes a 'Charity of the Year' partnership, corporate sponsorship, and matched giving for any employee fundraising. However, if an employee of a tobacco company, due to personal circumstances, wishes to support and donate to the charity from personal efforts, this is acceptable. Not accepting their donations based on the company they work for would be unacceptable discrimination.

## Personal injury lawyers

- 6.4** The charity's Patient Liaison Nurse provides patients with the contact details for personal injury lawyers if the need arises, in accordance with hospital procedures, if applicable. If a personal injury law firm approaches us for a funding opportunity, London's Air Ambulance Charity will only accept donations for funding in specific circumstances and on a case-by-case basis. Due to the conflict of interest, it will not accept funding of the Patient Liaison Nurse role from personal injury lawyers.

## 7. Donations considered high risk

- 7.1 Unsolicited donations of £10,000 or over:** The Charity Commission recommends identifying donors for substantial donations from an unknown source. (Please see **17. Appendix 1**).
- 7.2 Cumulative donations of a certain value over a set time:** i.e., £50k over the course of a year or £100k over three years has been agreed by the Board of Trustees. (Please refer to **Due Diligence Procedure**)
- 7.3 Donations made anonymously:** Identification of donations made through third parties or anonymously.
- 7.4 Unusual circumstances:** Any unusual donation conditions, payment methods or currency, unsolicited large gifts or other suspicious activity should be investigated. Unverified or suspicious donations totalling £25,000 need to be reported to the Charity Commission as a serious incident. These should be flagged on the day of receipt, so it can be decided if the donation requires reviewing. (Please refer to Section **8. Due Diligence**).
- 7.5 Court action:** If Court action has recently been taken against a donor in the Civil or Criminal Courts, and this action has resulted in the donor having a criminal record or being found negligent in the Civil Courts.

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- 7.6 Donations made at Special Events (i.e., Gala)** Donations made by new supporters because of a pledge call to action of £10,000 and above.
- 7.7** Where a donation made at a special event is thought to be of high risk, due diligence checks should be carried out post event. (Please refer to section [9. Refusal of Donations](#) and Section [10. Returning Donations.](#))

### 8. Due Diligence

- 8.1** The Fundraising and Marketing Team will take all reasonable measures to ensure it is aware of the source of funding for gifts and will undertake due diligence to ensure that gifts are for purposes consistent with London's Air Ambulance Charity's mission and values. Please see the [Due Diligence Procedure](#) for further details on how we will evidence our due diligence measures. Namely that:
- No legal or reputational issues are raised by the acceptance of a gift;
  - The activity to be funded does not create unacceptable conflicts of interest;
  - The nature or level of the gift does not result in unacceptable current or future financial liabilities.
- 8.2** For gifts of £10,000 and above, due diligence research **must** be conducted where the gift giver is an individual or organisation without prior relationship to London's Air Ambulance Charity. This includes one off donations, as well as the cumulative total within a 12-month period.
- 8.3** At special events such as the Gala, the action referred to in section 8.2 is not practically possible before receipt of the gift. Instead, upon signing up for the special event, attendees consent to adhere to our Gift Acceptance and Refusal of Donations Policy. This is designed to ensure that gifts are not associated with illegal activity, which could have a negative impact on our beneficiaries, or have a potentially negative impact on the reputation of the charity.
- 8.4** In instances where the gift is deemed as unacceptable, it will be subject to our refunding donations process. (Please also refer to section [9. Refusing Donations](#) and [10. Returning Donations.](#))
- 8.5** Due diligence must also be carried out where the charity is considering entering a longer-term partnership with an individual or organisation i.e., establishing a corporate partnership or inviting an individual to join a committee (such as the Gala Committee or Development Board). Please see Fundraising Corporate Partnership Policy (which is currently pending).
- 8.6** Due diligence will be carried out by the Fundraising and Marketing Team in line with GDPR regulations and London's Air Ambulance Charity's privacy policies.
- 8.7** To manage the balance between the need to know and the right to privacy in its due diligence investigations, the Fundraising and Marketing Team will only process data that is relevant to the funds or donor and that is in the public domain or on the charity's CRM database. All searches will be undertaken and documented in compliance with relevant privacy laws and with the recognition that individual donors and prospective donors have the right to request personal data held about them by London's Air Ambulance Charity, including reasons for declining gifts.

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**8.8** The [Due Diligence Procedure](#) should be followed to ensure staff are able to make consistent decisions.

### 9. Refusal of Donations

**9.1** The Trustees and Fundraising and Marketing Management Team are committed to acting in the best interest of the charity in pursuing its purposes, when deciding whether to refuse a donation. London's Air Ambulance Charity will only do so if accepting it would be more detrimental to the charity being able to achieve its objectives than rejecting it.

**9.2** When making this decision London's Air Ambulance Charity will undertake a system of balance and checks to provide careful analysis of the risks of accepting a donation.

**9.3** This will be decided on a case-by-case basis and in line with Charity Commission and Chartered Institute of Fundraising guidance, which states that donations may only be rejected in exceptional circumstances.

**9.4** If there is a suggestion that a donation should be refused, or if there is any doubt or question over the acceptance of a donation, this should be referred to the Director of Fundraising and Marketing, who will then consult with the CEO and/or other relevant Directors and Trustees. All high-risk donations (as defined in section 7), will be referred to the charity's Directors' Group for a decision. The Director of Fundraising will also share with the Audit and Risk Committee chair or Chair of the Board (whoever is available) all high-risk donations referred to the Director's Group. All recommendations to refuse a donation will automatically be referred to the charity's Audit and Risk Committee for decision. All donations given in unusual circumstances (7.4) and reported as a Serious Incident to the Charity Commission, will also be reported to the Audit and Risk Committee.

**9.5** The following principles guide the refusal of all donations to London's Air Ambulance Charity:

There is a strong possibility that acceptance of the donation or support might:

- Damage the reputation of London's Air Ambulance Charity;
- Create unacceptable conflicts of interest with other funders or stakeholders;
- Harm London's Air Ambulance Charity's relationship with partners, beneficiaries, or supporters.
- Undermine delivery of London's Air Ambulance Charity's vital work. (Please see section [6. Specific industries or activities for consideration](#)).
- There are reasonable grounds to believe that the supporter is a vulnerable individual. Please refer to the [Treating Supporters Fairly Policy](#).

**9.6** We will not accept a donation where there are reasonable grounds to believe:

- The individual or organisation holds views, or is involved in activities incompatible with our values as a charity;
- The donation may be an attempted scam, or to launder money or evade tax, or is in some other way illegal; (Please see section [11. Money Laundering](#))
- There may be private benefit linked to the donation, such as an obligation to purchase goods or services from a specified company;
- Conditions attached to the donation are so inflexible that they undermine our independence;

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- Or are so onerous as to compromise our effectiveness;
- Or restrict who may benefit to the extent of undermining our public benefit obligation;
- The cost of accepting the donation would exceed its value.

### 10. Returning Donations

**10.1** In line with charity regulations and guidance, once London's Air Ambulance Charity has accepted a donation it can only return it:

- If the terms and conditions of the gift provide for it to be returned in particular circumstances, or;
- Where the law specifically provides for the gift to be returned in particular circumstances; or by way of an 'ex-gratia payment' (a payment made as a result of a compelling moral, but not legal, obligation). The charity will refer to the Refund Policy in these circumstances.

### 11. Money Laundering

**11.1** When considering our approach to money laundering London's Air Ambulance Charity will work within the regulatory and statutory guidance as detailed by the:

- Proceeds of Crime Act 2002 (POCA 2002);
- Terrorism Act 2000 (TA 2000);
- Money Laundering Regulations 2007 (MLR 2007);
- Money Laundering, Terrorist Financing and Transfer of Funds (Regulations 2017 (MLR 2017). [regulation 18](#).

**11.2** And in line with our **Due Diligence Procedure**.

**11.3** A written risk assessment will be undertaken to identify and assess the risk of money laundering and terrorist financing to mitigate against the risk of fiscal and reputational damage.

**11.4** The charity will apply a risk-based approach to detecting and preventing money laundering and terrorist fundraising. For example, when approached by a new donor wishing to make a large donation, London's Air Ambulance Charity will carry out a risk assessment to satisfy themselves as to the donor's identity in line with our due diligence procedures.

**11.5** London's Air Ambulance Charity will consider the following factors when assessing if there is a potential risk of money laundering activity:

- If we have supporters based in jurisdictions where there is a higher risk of money laundering or terrorist financing;
- Whether we have supporters who operate in sectors that, by their nature, pose a higher risk of money laundering;
- Whether and how often we accept donations from supporters without meeting them.

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## 12. Data Security

**12.1** The charity will retain secure reports of all due diligence research completed under the [Due Diligence Procedure](#). These will be recorded and stored in accordance with data protection, privacy and records retention legislation and policies. Acceptance and refusal of gifts will be recorded on the [Due Diligence Register](#) and securely stored on London's Air Ambulance Charity's shared drive.

## 13. Responsibilities

**13.1** The Trustees have delegated the ability to make decisions on acceptance and refusal of donations. This will be recorded as part of the policy documentation and provide clarity on who has overall responsibility for managing the process as detailed below.

Responsible	Head of Community Engagement; Head of Communications and Marketing; Senior Advisor- Philanthropy and Partnerships; Deputy Director of Fundraising and Marketing
Accountable	Director of Fundraising and Marketing
Consulted	Directors' Group Audit and Risk Committee Board of Trustees

## 14. Approval & Review

**14.1** London's Air Ambulance Charity acceptance and refusal of donations policy will be approved by the Director of Fundraising and Marketing and Directors Group with the formal approval of the Trustees who will determine the delegated authority.

**14.2** An ad-hoc review may be carried out in the event of change of circumstance or legislation.

## 15. Relevant Documents, Policies & Procedures

**15.1** [Due Diligence Procedure](#)

**15.2** [Due Diligence Request Form](#)

**15.3** Due Diligence Register

**15.4** Fundraising Corporate Partnerships Policy (Pending)

**15.5** Committee Terms of Reference Subject

**15.6** [DP001- Data Protection Policy](#)

**15.7** [TSF01- Treating Supporters Fairly Policy](#)

**15.8** Refund Policy (Pending)

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### 16. Appendix 1 – Things to Consider Prior to the Acceptance of Gift

- Does the purpose and source of the donation align with London's Air Ambulance Charity's strategic mission and values?
- Is there any reason to suspect illegal activity?
- Is there reason to suspect it is a 'tainted donation' in accordance with HMRC [guidance](#)? Any donations received where we can recover gift aid, will need to be subject to an internal 'tainted donation' review to ensure there is no conflict in recovering gift aid. The minimum level for this is currently £10,000.
- Is there strong possibility that acceptance of the donation might:
  - Damage the reputation of London's Air Ambulance Charity?
  - Create unacceptable conflicts of interest with other funders or stakeholders?
  - Harm London's Air Ambulance Charity's relationship with partners, beneficiaries or supporters?
- Will the donation cost London's Air Ambulance Charity more than the benefit it derives from it, or require an unacceptable expenditure of resources?
- Will acceptance of the donation undermine delivery of London's Air Ambulance Charity's vital work?

### 17. Appendix Guiding Principles

- 17.1** London's Air Ambulance Charity solicits and accepts gifts that are consistent with its mission.
- 17.2** Donations will generally be accepted from individuals, partnerships, corporations, foundations, government agencies, or other entities, without limitations.
- 17.3** In the course of its regular fundraising activities, London's Air Ambulance Charity will accept donations of money, real property, personal property, stock, and in-kind services.
- 17.4** Certain types of gifts must be reviewed prior to acceptance due to the special liabilities they may pose for London's Air Ambulance Charity. Examples of gifts which will be subject to review include gifts of real property, gifts of personal property, and gifts of securities.
- 17.5** Due diligence will be conducted on a case-by-case basis, according to the level and nature of gift pledged or received. In all instances where an unsolicited donation of £10,000 is received from an individual or organisation without prior relationship to the charity there are certain considerations that need to be taken. (Please see **16. Appendix 1**).
- 17.6** For known Gala committee members inviting guests for the annual Gala or other special events, they are required to consent to London's Air Ambulance Charity's Terms of Reference document, which includes the following: "London's Air Ambulance Charity" has an Acceptance and Refusal of Donations Policy which is designed to ensure that gifts are not associated with illegal activity, could have a negative impact on our beneficiaries, or have a potentially negative impact on the reputation of charity.
- 17.7** Due diligence checks should be carried out prior to inviting guests to special events. (E.g. Annual Gala.)

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Where it is not possible to carry checks prior to the Gala and other special events these should be carried out as soon as possible following the Gala. (Please refer to Due Diligence Procedure and Committee Terms of Reference).

### 18. Appendix Risk management matrix

Descriptor	Score	Impact on activity and reputation
Insignificant	1	<ul style="list-style-type: none"> <li>no impact on our activity and ability to deliver our service</li> <li>no impact on reputation</li> <li>complaint unlikely</li> <li>litigation risk remote</li> </ul>
Minor	2	<ul style="list-style-type: none"> <li>slight impact on our activity and ability to deliver our service</li> <li>slight impact on reputation</li> <li>complaint possible</li> <li>litigation possible</li> </ul>
Moderate	3	<ul style="list-style-type: none"> <li>some disruption to our activity and ability to deliver service</li> <li>potential for adverse publicity – avoidable with careful handling</li> <li>complaint probable</li> <li>litigation probable</li> </ul>
Major	4	<ul style="list-style-type: none"> <li>Litigation pro Service disrupted probable</li> <li>Adverse publicity not avoidable (local media)</li> <li>Complaint probable</li> <li>Litigation probable</li> </ul>
Extreme / Catastrophic	5	<ul style="list-style-type: none"> <li>Service interrupted for significant time</li> <li>Major adverse publicity not avoidable (national media)</li> <li>Major litigation expected</li> </ul>

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		<ul style="list-style-type: none"> <li>• Resignation of senior management and board</li> <li>• Loss of beneficiary confidence</li> </ul>
Likelihood		
<b>Descriptor</b>	<b>Score</b>	<b>Example</b>
Remote	1	May only occur in exceptional circumstances
Unlikely	2	Expected to occur in a few circumstances
Possible	3	Expected to occur in some circumstances
Probable	4	Expected to occur in many circumstances
Highly probable	5	Expected to occur frequently and in most circumstances